

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

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CARL SHUPE and CONSTRUCTION LABORERS	:	
PENSION TRUST FOR SOUTHERN	:	
CALIFORNIA, Individually and on Behalf of	:	No. 21-cv-11528
All Others Similarly Situated,	:	
	:	Honorable Thomas L. Ludington
Plaintiffs,	:	District Judge
	:	
v.	:	
	:	Honorable Anthony P. Patti
ROCKET COMPANIES, INC., JAY D. FARNER,	:	Magistrate Judge
DANIEL GILBERT and ROCK HOLDINGS INC.,	:	
	:	
Defendants.	:	
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**DEFENDANTS' UNOPPOSED MOTION TO PERMIT FILING UNDER
SEAL AND MEMORANDUM OF LAW**

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February 26, 2024

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MOTION

For the reasons set forth in the accompanying memorandum, Defendants request that the Court allow them to file under seal portions of three documents that Plaintiffs have designated “Confidential” or “Highly Confidential” under the protective order entered in this case: (i) the Transcript of the Deposition of Chad Coffman, dated November 8, 2023; (ii) the Transcript of the Deposition of Chad Coffman, dated February 22, 2024; and (iii) the Transcript of the Deposition of Robert Olsen Glaza (corporate representative of Construction Laborers Pension Trust for Southern California). Those transcripts are attached as Exhibits 4, 6, and 29 to Defendants’ Memorandum of Law in Opposition to Plaintiffs’ Motion for Class Certification.

MEMORANDUM OF LAW

Defendants move for an order allowing them to file under seal (i) portions of the Transcript of the Deposition of Chad Coffman, dated November 8, 2023 (the “Coffman 1 Transcript”), (ii) portions of the Transcript of the Deposition of Chad Coffman, dated February 22, 2024 (the “Coffman 2 Transcript”), and (iii) portions of Deposition of Robert Olsen Glaza (collectively, the “Transcripts”), which are attached as Exhibits 4, 6, and 29 to Defendants’ Memorandum of Law in Opposition to Plaintiffs’ Motion for Class Certification. In support of this motion, Defendants state:

1. On May 16, 2023, this Court entered a stipulated protective order describing how the parties must handle discovery materials designated “Confidential” or “Highly Confidential.” (*See* ECF 71.)
2. That order requires that discovery materials designated as “Confidential” or “Highly Confidential” must be filed “confidentially and not available for public access.” (Protective Order ¶ 12, ECF 71, PageID.2414.)
3. Plaintiffs have designated portions of the Transcripts as “Confidential” or “Highly Confidential,” which are designated in yellow highlighting in the attached Exhibits. While Defendants do not believe that any of the Transcript warrant sealing under E.D. Mich. L.R. 5.3(b), Plaintiffs have stated they do. Per the terms of the protective order, Defendants have to move to file the Transcripts under seal.
4. Additionally, Defendants have filed redacted versions of the Transcripts, and are moving to file unredacted versions under seal.
5. By this motion, Defendants ask that they be given leave to file the Transcripts on the official court record, under seal.

February 26, 2024

Respectfully submitted,

/s/ Nick Gorga

/s/ Jeffrey T. Scott

Nick Gorga (P72297)

Jeffrey T. Scott (N.Y. 2890374)

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(Additional counsel listed on cover)

Counsel for Rocket Companies, Inc.

*Counsel for Rock Holdings Inc., Jay
Farner, and Daniel Gilbert*

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2024, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to all parties of record, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: None.

Respectfully submitted,

/s/ Jeffrey T. Scott

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February 26, 2024